IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.130 OF 2006

Salebai Tasdukhusen Bohari & Anr. ...Appellants
Vs.
Zilla Parishad, Solapur & Ors. ...Respondents

Mr G.S. Godbole for the Appellants.
Mr Nitin Jamdar for the Respondent No.1.
Mr Y.M. Nakhawa, A.G.P. for the Respondent No.3.

CORAM : A. S. OKA, J.
DATE : MAY 03, 2006.

P.C.:

1. Heard Shri Godbole appearing for the Appellants, Shri Jamdar appearing for the Respondent No.1 and the learned A.G.P. for the Respondent No.3.

The following substantial question of law arises:

(i) Whether the Respondent No.1 has a right to construct asphalted road through the private property of the Appellants when there was no evidence on record to show that the disputed land either vests in the Respondent No.1 or that the same has been acquired in accordance with law for the benefit of the Respondent No.1?

2. Second Appeal is admitted on aforesaid

substantial question of law. Printing is dispensed with. The Appellants are directed to file a private paper-book alongwith sufficient number of copies thereof within a period of one year from today. If the paper-book is not filed within the stipulated period, the Appeal will stand dismissed for want of prosecution without further reference to the court.

JUDGE